



04-25-07

11<sup>th</sup> 1644

PTO/SB/21 (09-06)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

22 + 160  
refs.

Application Number

10/529,835

Filing Date

October 6, 2003 (Int'l)

First Named Inventor

David L. SHELTON

Art Unit

1644

Examiner Name

Not Yet Assigned

Attorney Docket Number

514712000300

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement (3 pages)☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/Incomplete Application☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):PTO/SB08a/b + copy (18 pages)  
References (160)  
Return Receipt Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

MORRISON &amp; FOERSTER LLP (Customer No. 25226)

Signature

Printed name

Jie Zhou

Date

April 23, 2007

Reg. No.

52,395

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MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 23, 2007

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(Georgina Matos)

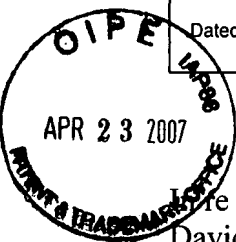
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Dated: April 23, 2007

Signature:

*Georgina Matos*  
(Georgina Matos)

PATENT  
Docket No. 514712000300



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:  
David L. SHELTON

Serial No.: 10/529,835

International Filing Date: October 6, 2003

For: METHODS FOR TREATING CARDIAC  
ARRHYTHMIA AND PREVENTING  
DEATH DUE TO CARDIAC  
ARRHYTHMIA USING NGF  
ANTAGONISTS

Examiner: Not Yet Assigned

Group Art Unit: 1644

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Applicant would like to bring to the Examiner's attention the co-pending applications listed below:

Application Serial No. 10/682,638 filed on October 8, 2003, by Shelton et al.,

Application Serial No. 10/791,162 filed on March 1, 2004, by Shelton et al., and

Application Serial No. 11/104,248 filed on April 11, 2005, by Rosenthal et al.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

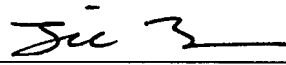
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has

been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 514712000300.

Dated: April 23, 2007

Respectfully submitted,

By   
Jie Zhou

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MORRISON & FOERSTER LLP  
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ALTERNATIVE TO PTO/SB/08a/b (07-05)

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/529,835
				Filing Date	(Intl.) October 6, 2003
				First Named Inventor	David L. SHELTON
				Art Unit	1644
				Examiner Name	Not Yet Assigned
Sheet	1	of	9	Attorney Docket Number	514712000300

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	US-2001/0046959-A1	11-29-2001	Buchovich et al.	
	2.	US-2002/0045669-A1	04-18-2002	Bergeron, Jr.	
	3.	US-2002/0058970-A1	05-16-2002	Chen	
	4.	US-2004/0131615-A1	07-08-2004	Shelton et al.	
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	6.	US-2004/0253244-A1	12-16-2004	Shelton et al.	
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	8.	US-4,485,045	11-27-1984	Regen	
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Examiner Signature		Date Considered	
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PA- 1122543

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
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				First Named Inventor	David L. SHELTON
				Art Unit	1644
				Examiner Name	Not Yet Assigned
Sheet	2	of	9	Attorney Docket Number	514712000300

46.	US-6,351,668-B1	02-26-2002	Chen	
47.	US-6,353,757-B2	03-05-2002	Chen	
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50.	US-6,413,942-B1	07-02-2002	Felgner et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
	52.	EP-0 345 242-A2, A3	12-06-1989	SmithKline Biologicals, S.A.	Translation of Abstract Only	
	53.	EP-0 519 596-A1, B1	12-23-2005	Merck & Co. Inc. et al.		
	54.	EP-0 524 968-A1, B1	02-03-1993	Research Development Foundation		
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	57.	WO-89/09225-A1	10-05-1989	The Regents of the University of California		
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	60.	WO-91/00904-A1	01-24-1991	Smith-Kline Beckman Corporation		
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	63.	WO-93/03769-A1	03-04-1993	U.S. Secretary of the Department of Health and Human Services		
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	71.	WO-94/12649-A2, A3	06-09-1994	Genzyme Corporation		
	72.	WO-94/13274-A1	06-23-1994	Abbott Laboratories		
	73.	WO-94/23697-A1	10-27-1994	Depotech Corporation		
	74.	WO-94/28938-A1	12-22-1994	The Regents of the University of Michigan		

Examiner Signature		Date Considered	
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Sheet	3	of	9	Attorney Docket Number	514712000300

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81.	WO-97/15593-A1	05-01-1997	Queen's University at Kingston		
82.	WO-97/21732-A1	06-19-1997	McGill University		
83.	WO-97/42338-A1	11-13-1997	Chiron Corporation		
84.	WO-98/06048-A2	02-12-1998	Queen's University at Kingston		
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86.	WO-00/53211-A2, A3	09-14-2000	University of Southern California		
87.	WO-00/69829-A1	11-23-2000	Queen's University at Kingston		
88.	WO-00/73344-A2, A3	12-07-2000	SIRS Societa' Italiana per la Ricerca Scientifica SRL		
89.	WO-01/27160-A1	04-19-2001	Applied Molecular Evolution, Inc. et al.		
90.	WO-01/62334-A2, A3	08-30-2001	Cedars-Sinai Medical Center		
91.	WO-01/64247-A2, A3	09-07-2001	Cephalon, Inc.		
92.	WO-01/78698-A2, A3	10-25-2001	Warner-Lambert Co.		
93.	WO-02/15924-A1	02-28-2002	The University of Bristol		
94.	WO-02/17914-A2, A3	03-07-2002	Cephalon, Inc.		
95.	WO-02/20479-A1	03-14-2002	Glaxo Group Ltd.		
96.	WO-2004/032870-A2, A3	04-22-2004	Rinat Neuroscience Corp.		
97.	WO-2004/058184-A2, A3	07-15-2004	Rinat Neuroscience Corp.		
98.	WO-2004/073653-A2, A3	09-02-2004	Rinat Neuroscience Corp.		
99.	WO-2004/096122-A2, A3	11-04-2004	Rinat Neuroscience Corp.		
100.	WO-2005/000194-A2, A3	01-06-2005	Rinat Neuroscience Corp.		

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author ( in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	101.	Abe, T. et al. (January 7, 1997). "Protective Role of Nerve Growth Factor Against Postischemic Dysfunction of Sympathetic Coronary Innervation," <i>Circulation</i> 95(1):213-220.		
	102.	American Chemical Society (1987-1991). <u>Chemical Abstracts, 12th Collective Index, Chemical Substances, Volumes 106-115, page 34237CS, column 3, lines 5-7.</u>		
	103.	American Chemical Society (1987-1991). <u>Chemical Abstracts, 12th Collective Index, Chemical Substances, Volumes 106-115, page 34237CS, column 3, lines 55-60.</u>		
Examiner Signature			Date Considered	

PA- 1122543

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Sheet	4	of	9	Attorney Docket Number	514712000300

104.	American Chemical Society (1987-1991). <u>Chemical Abstracts</u> , 12th Collective Index, Chemical Substances, Volumes 106-115, page 34237CS, column 3, lines 66-69.
105.	American Chemical Society (1987-1991). <u>Chemical Abstracts</u> , 12th Collective Index, Chemical Substances, Volumes 106-115, page 34238CS, column 1, lines 41-44.
106.	American Chemical Society (1987-1991). <u>Chemical Abstracts</u> , 12th Collective Index, Chemical Substances, Volumes 106-115, page 34238CS, column 2, lines 25-27.
107.	American Chemical Society (1987-1991). <u>Chemical Abstracts</u> , 12th Collective Index, Chemical Substances, Volumes 106-115, page 34238CS, column 2, lines 32-33.
108.	American Chemical Society (1987-1991). <u>Chemical Abstracts</u> , 12th Collective Index, Chemical Substances, Volumes 106-115, page 34239CS, column 3, lines 48-50.
109.	American Chemical Society (1987-1991). <u>Chemical Abstracts</u> , 12th Collective Index, Chemical Substances, Volumes 106-115, page 34239CS, column 3, lines 52-53.
110.	Armour, K. L. et al. (1999). "Recombinant Human IgG Molecules Lacking Fcγ Receptor I Binding and Monocyte Triggering Activities," <i>Eur. J. Immunol.</i> 29:2613-2624.
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117.	Cao, J-M. et al. (April 25, 2000). "Relationship Between Regional Cardiac Hyperinnervation and Ventricular Arrhythmia," <i>Circulation</i> 101:1960-1969.
118.	Carrió, I. (July 2001). "Cardiac Neurotransmission Imaging," <i>J. Nuc. Med.</i> , 42(7):1062-1076.
119.	Chao, M.V. et al. (April 25, 1986). "Gene Transfer and Molecular Cloning of the Human NGF Receptor," <i>Science</i> 232:518-521.
120.	Chen, P-S. et al. (2001). "Sympathetic Nerve Sprouting, Electrical Remodeling and the Mechanisms of Sudden Cardiac Death," <i>Cardiovascular Research</i> 50:409-416.
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123.	Clackson, T. et al. (August 15, 1991). "Making Antibody Fragments Using Phage Display Libraries," <i>Nature</i> 352:624-628.
124.	Connelly, S. et al. (February 1995). "In Vivo Gene Delivery and Expression of Physiological Levels of Functional Human Factor VIII in Mice," <i>Human Gene Therapy</i> 6:185-193.
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126.	Curiel, D.T. et al. (1992). "High-Efficiency Gene Transfer Mediated by Adenovirus Coupled to DNA-Polylysine Complexes," <i>Hum. Gene Ther.</i> 3:147-154.
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Examiner Signature	Date Considered
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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